

Telecommunications Commission Minutes, August 28, 2008

I. Call to Order

Chairman Terry Lottes called the meeting to order at 7:12 p.m. in the County Administration conference room in the Administration Center, located at 1300 Courthouse Road.

II. Roll Call

The following members were present: Terry Lottes, Thomas Kimbrell, Alicia Knight, Danielle Davis and Ed Sullivan. Tami Watkins with Comcast and Jaybo Johnson with Cox attended the meeting. Also present were Cathy Riddle, Public Information Office, and Jason Hill, Department of Information Technology, representing the County.

III. Presentations by the Public

Mr. Embry asked how long it would be before the Aquia Overlook Subdivision received cable service from Comcast. Ms. Watkins said that she had seen emails on the issue, and that plans are being reviewed. She stated that she did not have a timeframe for construction.

Mr. Lottes said that the franchise agreement doesn't specify a timeframe for cable to be implemented after a subdivision meets the density threshold. Ms. Watkins stated that she did not have the density information on the neighborhood, but that the franchise does state that once an area meets the density requirement, Comcast is required to provide cable.

Mr. Kerry Hadaway asked at what point it would be considered to be a breach of the franchise agreement.

Mr. Lottes said that there had been a few neighborhoods in Stafford that met the density requirement but didn't have cable and Comcast responded with information about when cable would be provided. But he stated that the franchise does not specify how long it would take for cable providers to get the cable to the neighborhoods.

Mr. Hadaway asked if the Telecommunications Commission could commit to him and his neighbors a timeframe during which a letter could be sent to Comcast asking that the company provide cable to his subdivision.

Mr. Lottes said that if nothing is done within one month, the commission would request at the Commission's next meeting that Comcast provide cable to the neighborhood. Mr. Hadaway asked Ms. Watkins if Comcast would provide cable.

Ms. Watkins said that yes, they would, but there was no timeframe. She stated that she would commit to having a response back to the commission in advance of the group's next meeting.

Mr. Lawson Brannan stated that he has a number of neighbors who are ready to build, but they want to know when cable will be provided because they do not want to move into a house

without television. In addition, not having broadband Internet service is a concern. He said that many people in his subdivision work for the federal government and need broadband.

Mr. Lottes asked Mr. Brannon if he was satisfied with Comcast's response.

Mr. Brannon stated that he was if Comcast could provide a timeframe before the next meeting.

Ms. Knight stated that her goal was to have broadband in every home.

Brian Jones, 9 Lupine Drive, said that he has had a Comcast box in his front yard since he moved into his house in December 2007. He was told that his phone number would have supported DSL, but it wasn't working when he tried to bring it up. He stated that he is looking for information, but could not get anyone from Comcast to communicate with him. He stated that Verizon had a construction schedule on its web site. He also said he had spoken with Ms. Watkins and she took his information.

Ms. Knight said that she had spoken to Carles Helmendollar and Marie Schuler about the situation.

Ms. Watkins stated that she would respond to Mr. Jones the following day (Friday).

Mr. Kimbrell asked that she let the Commission know what happened.

Mr. Jones said there were 25 homes in his neighborhood and that whichever cable company gets there first will get those subscribers.

IV. Approval of Minutes

Ms. Knight moved to approve the July 24, 2008 minutes; Mr. Sullivan seconded the motion; the motion was approved unanimously.

V. Members' Concerns

Ms. Davis asked Ms. Watkins about Mr. Cweiki on Mount View Road. Mr. Cweiki was told by Comcast to get a trench ready for him to run the lines; he did that and submitted his request for service several times but it was turned down. Ms. Davis asked Ms. Watkins to find out from Ms. Schuler when his request was submitted and when it was turned down.

Dr. Hill, of Coal Landing Road, stated that every time there is a cable outage, it occurs in the last five houses on his street. He stated that the problem wasn't the Internet, but the cable television. He stated that no one from Comcast was returning his calls, and that this has been happening for more than one year.

He stated that no one from Comcast was returning his calls, and that this has been happening for more than one year.

Ms. Knight stated that there appears to be a pattern. She said that a lot of issues are resolved, but there needs to be more responsiveness from Comcast.

Ms. Davis said that Comcast states that they will call back, but that doesn't always happen.

Ms. Knight thanked Comcast for solving Mr. Pat Howard's issues.

Ms. Davis said her high-speed Internet service at her house had some problems.

Ms. Knight requested that the commission add public access programming to a future agenda.

VI. Agenda Additions

There were no agenda additions.

VII. New Business

Public Access Programming

Pamela Haines gave a presentation on the public access programming she provides to Fairfax County.

The members of the Telecommunications Commission agreed that public access programming should be explored in Stafford County. Mr. Sullivan agreed to talk to the schools to see if they would be supportive of such programming.

Effective Competition

Ms. Knight stated that if current rules continue to exist, Stafford will not be able to catch up with other localities and provide broadband in every home. She said that the Telecommunications Commission should consider adding a broadband initiative to the legislative priorities list that the Board sends to the General Assembly each year.

Mr. Johnson stated that Cox is studying how to provide broadband in a wired situation.

At 9:20 p.m., Ms. Knight moved, seconded by Mr. Kimbrell to go into a Closed Meeting on the following item:

Legal: To discuss the responses by Comcast and Cox to the County's letters re: compliance with certain requirements in their franchise agreements.

Section 2.2-3711 A7

Code of Virginia

The voting tally was:

Yea: (6) Davis, Lottes, Kimbrell, Knight, Sullivan

Closed Meeting Certification: at 9:45 p.m., Ms. Davis moved, seconded by Mr. Kimbrell, to adopt proposed Resolution CM09-08.

Resolution CM09-08 reads as follows:

**A RESOLUTION TO CERTIFY THE ACTIONS OF THE STAFFORD
COUNTY CABLE AND TELECOMMUNICATIONS COMMISSION IN A
CLOSED MEETING ON AUGUST 28, 2008**

WHEREAS, the committee has, on this the 28th day of August, 2008, adjourned into a closed meeting in accordance with a formal vote of the commission and in accordance with provisions of the Virginia Freedom of Information Act; and

WHEREAS, the Virginia Freedom of Information Act, as it became effective July 1, 1989, provides for certification that such Closed Meeting was conducted in conformity with law;

NOW, THEREFORE, BE IT RESOLVED that the Stafford County Cable and Telecommunications Commission does hereby certify, on this the 28th day of August, 2008, that to the best of each member's knowledge: (1) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom Act were discussed in the Closed Meeting to which this certification applies; and (2) only such public business matters as were identified in the Motion by which the said Closed Meeting was convened were heard, discussed, or considered by the committee. No member dissents from the aforesaid certification.

The voting tally was:

Yea: (6) Davis, Lottes, Kimbrell, Knight, Sullivan

VIII. Adjournment

At 9:50 p.m., Ms. Davis moved to adjourn the meeting; Mr. Kimbrell seconded; the motion passed unanimously.